

● PRINTER RUSH ●
(PTO ASSISTANCE)

| | | |
|-----------------------------------|------------------------------|----------------------------|
| Application : <u>10 078 613</u> | Examiner : <u>A Weier</u> | GAU : <u>1761</u> |
| From: <u>mg</u> | Location: <u>10C FMF FDC</u> | Date: <u>12-02-05</u> |
| Tracking #: <u>EPM 10 078 613</u> | | Week Date: <u>11-07-05</u> |

| DOC CODE | DOC DATE | MISCELLANEOUS |
|--|----------|--|
| <input type="checkbox"/> 1449 | _____ | <input type="checkbox"/> Continuing Data |
| <input type="checkbox"/> IDS | _____ | <input type="checkbox"/> Foreign Priority |
| <input type="checkbox"/> CLM | _____ | <input type="checkbox"/> Document Legibility |
| <input type="checkbox"/> IIFW | _____ | <input type="checkbox"/> Fees |
| <input type="checkbox"/> SRFW | _____ | <input type="checkbox"/> Other |
| <input type="checkbox"/> DRW | _____ | |
| <input checked="" type="checkbox"/> OATH | _____ | |
| <input type="checkbox"/> 312 | _____ | |
| <input type="checkbox"/> SPEC | _____ | |

[RUSH] MESSAGE: _____

The OATH is missing.

Thanks

[XRUSH] RESPONSE: _____

See misc comm

Done

INITIALS: *[Signature]*

NOTE: This form will be included as part of the official USPTO record, with the Response document coded as XRUSH.
REV 10/04

BROWNING BUSHMAN P.C.*Attorneys at Law*

A PROFESSIONAL CORPORATION

RALPH R. BROWNING (1905-1979)
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OF COUNSEL
CARLOS A. TORRES
MARVIN B. EICKENROHT
EUGENE N. RIDDLE

INTELLECTUAL PROPERTY LAW
INCLUDING PATENT, TRADEMARK, COPYRIGHT LAW,
UNFAIR COMPETITION AND RELATED MATTERS

**FACSIMILE TRANSMITTAL
SHEET**

FAX NO.: 703-746-6830 **DATE:** January 5, 2006

OUR REF.: Marks & Clerk 45 **YOUR REF.:** _____
U.S. Application No. 10/078,613
Method of Making Coffee and Coffee
Maker

DELIVER TO: RON BURCH
U.S. Patent Office Assignment Division
Publishing Division

FROM: C. James Bushman

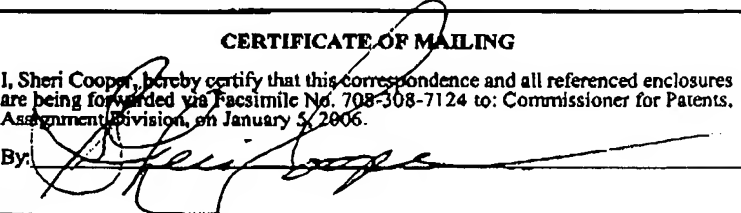
TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET): _____**Message:****Mr. Burch:**

In compliance with your request dated December 19, 2005, attached is a copy of the Declaration in the referenced patent application.

Also attached are copies of the initial filing papers, along with a copy of your Notice to File Corrected Application Papers.

If you require additional information, kindly contact us.

Sheri Cooper
Assistant to C. James Bushman

| CERTIFICATE OF MAILING | |
|--|--|
| I, Sheri Cooper, hereby certify that this correspondence and all referenced enclosures are being forwarded via Facsimile No. 708-308-7124 to: Commissioner for Patents, Assignment Division, on January 5, 2006. | |
| By: |  |

NOTE: The information contained in this facsimile message is attorney-client privileged and contains confidential information intended only for the use of the individual named above and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (713-266-5593) and return the original transmission to us by mail without making a copy.

IF YOU DO NOT RECEIVE ALL OF THESE PAGES, PLEASE CALL (713) 266-5593 OR FAX (713) 266-5169



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|------------------------------|------------------|
| 10/078,613 | 02/19/2002 | Chi Wah Leung | MAC-45 | 5588 |
| 7590 12/19/2005 | | | | |
| Browning Bushman P.C. 5718 Westheimer, Suite 1800 Houston, TX 77057-5771 | | | | |
| | | | EXAMINER WEIER, ANTHONY J | |
| | | | ART UNIT PAPER NUMBER | |
| | | | 1761 | |

DEC 27 2005
DEC 27 2005
ENTERED DEC 27 2005

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED
DEC 27 2005
1/19/06
THOMAS

Attorney Docket No. _____

COMBINED DECLARATION AND POWER OF ATTORNEY**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION OR CIP)**

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: (check one applicable item below)

- ☒ original
☐ design
☐ supplemental

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check next item; check appropriate one of last three items.

- ☐ national stage of PCT

NOTE: If one of the following 3 items apply then complete and also attach **ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.**

- ☐ divisional
☐ continuation
☐ continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b) or (c))

- (a) ☒ is attached hereto.
- (b) ☐ was filed on 02/19/2002 as ☐ Serial No. 10/078,613, or ☐ Express Mail No., as Serial No. not yet known _____ and was amended on _____ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 C.F.R. §1.67. (Declaration and Power of Attorney [1-1] - page 1 of 4)

**CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH
FORM A PART OF THIS DECLARATION**

- (X) Signature for third and subsequent joint inventors. Number of pages added 1.
- () Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added _____.

..4.

- (c) () was described and claimed in PCT International Application No. _____
filed on _____ and as amended under PCT Article 19 on
_____ (if any).

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations. §1.56(a).

- () In compliance with this duty there is attached an information disclosure statement. 37 CFR §1.97.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) ☒ no such applications have been filed.
- (e) () such applications have been filed as follows.

NOTE: Where item (e) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

| COUNTRY | APPLICATION NUMBER | DATE OF FILING (day, month, year) | PRIORITY CLAIMED UNDER 35 USC 119 |
|---------|--------------------|--------------------------------------|--------------------------------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Walter R. Brookhart, Reg. No. 29,518; C. James Bushman, Reg. No. 24,810; Loren G. Helmreich, Reg. No. 29,389; William E. Johnson, Jr., Reg. No. 22,719; and Carlos A. Torres, Reg. No. 24,264

() Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO:

C. James Bushman
Browning, Bushman
5718 Westheimer, Suite 1800
Houston, TX 77057

DIRECT TELEPHONE CALLS TO:

(Name and telephone number)

C. James Bushman
(713) 266-5593

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of sole or first inventor:

Chi Wah LEUNG

Inventor's signature:

Date:

20 March 2002

Country of Citizenship:

Residence:

Post office Address:

c/o Simatelex Manufactory Co. Ltd.
9/F, Chaiwan Industrial Centre,

20 Lee Chung Street, Chaiwan, Hong Kong

Chi Chung FUNG

Full name of second joint inventor, if any:

Inventor's signature:

Date:

20 March 2002

Country of Citizenship:

Residence:

Post office Address:

c/o Simatelex Manufactory Co. Ltd.

9/F, Chaiwan Industrial Centre

20 Lee Chung Street, Chaiwan, Hong Kong

(Declaration and Power of Attorney [1-1] - page 3 of 4)

ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY
FOR SIGNATURE BY THIRD AND SUBSEQUENT INVENTORS

Full name of third joint inventor, if any:

Shek Chuen LUK

Inventor's signature: _____

Date: 20/5/2002

Country of Citizenship: _____

Residence:

c/o Simatelex Manufactory Co. Ltd.

Post office Address:

9/F, Chaiwan Industrial Centre

20 Lee Chung Street, Chaiwan

Hong Kong

Full name of fourth joint inventor, if any:

Inventor's signature: _____

Date: _____

Country of Citizenship: _____

Residence:

Post office Address:

Full name of fifth joint inventor, if any:

Inventor's signature: _____

Date: _____

Country of Citizenship: _____

Residence:

Post office Address:

(Added Page to Combined Declaration and Power of Attorney for Signature by Third and
Subsequent Inventors [1-2])

ENTERED JUN 06 2002

JUN 06 2002

In re Appln. of: Chi Wah Leung, Chi Chung Fung, and Shek Chuen Luk
Serial No.: 10/078,613
Filed: 02/19/2002
For: Method of Making Coffee and Coffee Maker

Enc.: Response to Notice to File Missing Parts of Application (Large Entity), USPTO Notice to File Missing Parts of Nonprovisional Application, Combined Declaration and Power of Attorney, Check - \$240.00,

File No.: M&C-45
Card No.: 23
Check No.: #2212



Atty: CJB
Date Mailed: 05/20/02
Due Date: 06/12/02

[Handwritten signature]

[Handwritten initials]

FROM

(FRI) JAN 6 2006 11:03/ST. 11:01/NO. 6329645874 P 9

In re Appln. of: Chi Wah Leung, Chi Chung Fung, and Shek Chuen Luk
Serial No.: 10/078,613
Filed: 02/19/2002
For: Method of Making Coffee and Coffee Maker

Enc.: Response to Notice to File Missing Parts of Application (Large Entity), USPTO Notice to File Missing Parts of Nonprovisional Application, Combined Declaration and Power of Attorney, Check - \$240.00,

File No.: M&C-45
Card No.: 23
Check No.: #2212

Atty: CJB
Date Mailed: 05/20/02
Due Date: 06/12/02

BROWNING BUSHMAN P C
5718 Westheimer Ste 1800
Houston, TX 77057

2212

PAY
TO THE
ORDER OF

Assistant Commissioner for Patents

5/20/02

DATE

88-7334/3131
BRANCH 62

\$240.00

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5718 WESTHEIMER, SUITE 100
HOUSTON, TEXAS 77057

FOR M+C-45

⑈002212⑈ ⑆313173349⑆ ⑈350690289⑈

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**Docket No.
M&C-45

In Re Application Of: Chi Wah Leung, Chi Chung Fung, and Shek Chuen Luk

Serial No.
10/078,613Filing Date
02/19/2002

Examiner

Group Art Unit
1761Invention: **Method of Making Coffee and Coffee Maker****TO THE ASSISTANT COMMISSIONER FOR PATENTS:****Box Missing Parts**

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

03/12/2002

Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ Other (list):

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
M&C-45

In Re Application Of: **Chi Wah Leung, Chi Chung Fung, and Shek Chuen Luk**

Serial No.
10/078,613

Filing Date
02/19/2002

Examiner

Group Art Unit
1761

Invention: **Method of Making Coffee and Coffee Maker**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

☒ Completion of application fees as calculated below:

☐ Utility application filing fee _____

☐ Design application filing fee _____

☐ Total number of independent claims = _____

☐ Total number of claims = _____

☐ Multiple dependent claims _____

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$130.00**

☐ Petition and fee for filing by other than all the inventors or a person not the inventor _____

☐ Fee for processing an application filed with a non-English language specification _____

☐ Fee for processing and retention of application _____

Total completion of application fees **\$130.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☒ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: May 12, 2002

Date

until: June 12, 2002

Date

Total time extension fees **\$110.00**

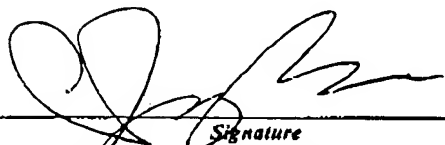
Total fees due **\$240.00**

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**Docket No.
M&C-45In Re Application Of: **Chi Wah Leung, Chi Chung Fung, and Shek Chuen Luk**Serial No.
10/078,613Filing Date
02/19/2002

Examiner

Group Art Unit
1761Invention: **Method of Making Coffee and Coffee Maker****TO THE ASSISTANT COMMISSIONER FOR PATENTS:****Box Missing Parts**The fee of **\$240.00** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **02-4345**
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **02-4345**
A duplicate copy of this sheet is enclosed.


SignatureDated: **May 20, 2002**

C. James Bushman, Reg. No. 24,810
Browning Bushman P.C.
5718 Westheimer, Suite 1800
Houston, Texas 77057
Tel.: (713)266-5593
Fax: (713)266-5169

I certify that this document and fee is being deposited
on **May 20, 2002** with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.


Signature of Person Mailing Correspondence**C. James Bushman**

Typed or Printed Name of Person Mailing Correspondence

CC:



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/078,613 | 02/19/2002 | Chi Wah Leung | M&C-45 |

CONFIRMATION NO. 5588

FORMALITIES LETTER



OC00000007822081

Browning Bushman P.C.
5718 Westheimer, Suite 1800
Houston, TX 77057-5771

Date Mailed: 03/12/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Haimanot Tegbaru

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY